

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

ANTHONY ALBERT BAGGETT,

Plaintiff,

v.

POVERELLO HOUSE, *et al.*,

Defendants.

No. 1:24-cv-00931-KES-BAM (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DISMISSING
ACTION FOR FAILURE TO PROSECUTE

Doc. 8

Plaintiff Anthony Albert Baggett is a civil detainee proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983.

On August 5, 2024, plaintiff initiated this action in the Sacramento Division of the United States District Court for the Eastern District of California. Docs. 1, 2. Prisoner new case documents were issued by the Sacramento Division on August 6, 2024, the case was transferred to the Fresno Division on August 12, 2024, and new case documents were issued by the Fresno Division on August 12, 2024. Docs. 3, 4, 5. On August 12, 2024, the Sacramento Division new case documents were returned as “Undeliverable, Not at this facility.” On August 14, 2024, the Court granted plaintiff’s motion to proceed in forma pauperis. Doc. 6. The order transferring the case to the Fresno Division and the Fresno Division new case documents were returned on August 26, 2024, as “Undeliverable, Not at Facility,” and the order granting plaintiff’s in forma pauperis motion was returned on August 27, 2024, as “Undeliverable, Vacant, Not at Facility.”

1 More than sixty-three days passed, and plaintiff did not file a notice of change of address or
2 otherwise communicate with the Court as required by Local Rule 183(b).

3 Accordingly, on October 31, 2024, the assigned magistrate judge issued findings and
4 recommendations recommending dismissal of this action, without prejudice, for failure to
5 prosecute. Doc. 8. The findings and recommendations were served on plaintiff and contained
6 notice that any objections thereto were to be filed within fourteen days after service. *Id.* at 3.
7 Plaintiff did not file any objections, and the deadline to do so has passed. To date, plaintiff has
8 not otherwise communicated with the Court or updated his address.

9 In accordance with the provisions of 28 U.S.C. § 636(b)(1), this Court has conducted a de
10 novo review of the case. Having carefully reviewed the file, the Court concludes that the findings
11 and recommendations are supported by the record and proper analysis.

12 Accordingly, IT IS HEREBY ORDERED that:

- 13 1. The findings and recommendations issued on October 31, 2024, Doc. 8, are adopted in
14 full;
- 15 2. This action is dismissed, without prejudice, for failure to prosecute; and
- 16 3. The Clerk of the Court is directed to close this case.

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19 IT IS SO ORDERED.

20 Dated: November 29, 2024


UNITED STATES DISTRICT JUDGE